

06-09-00
HAMILTON, BROOK, SMITH & REYNOLDS, P.C.UTILITY
PATENT APPLICATION
TRANSMITTAL(Only for new nonprovisional applications under
37 C.F.R. 1.53(b))

Attorney Docket No.

3028.100000

First Named Inventor or
Application Identifier

Guy A. Rouleau

Express Mail Label No.

EL564265605US

JCS30 U.S. PTO
09/59021

06/08/00

Title of
InventionSHORT GCG EXPANSIONS IN THE PAB II GENE FOR OCULOPHARYNGEAL
MUSCULAR DYSTROPHY AND DIAGNOSTIC THEREOF

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

ADDRESS TO:

Assistant Commissioner for Patents
Box Patent Application
Washington, D.C. 20231

1. ☐ Fee Transmittal Form
(Submit an original, and a duplicate for fee processing)
2. ☒ Specification **Total Pages 20**
(preferred arrangement set forth below)
- Descriptive title of the invention
 - Cross References to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to microfiche Appendix
 - Background of the Invention
 - Summary of the Invention
 - Brief Description of the Drawings
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
3. ☒ Drawing(s) (35 U.S.C. 113) **Total Sheets 8**
☐ Formal ☒ Informal
4. ☐ Oath or Declaration/POA [Total Pages ☐]
- a. ☐ Newly executed (original or copy)
 - b. ☐ Copy from a prior application (37 C.F.R. 1.63(d))
(for continuation/divisional with Box 17 completed)
[NOTE Box 5 below]
 - i. ☐ DELETION OF INVENTOR(S)
Signed statement attached deleting
inventor(s) named in the prior
application, see 37 C.F.R. 1.63(d)(2)
and 1.33(b).
5. ☐ Incorporation By Reference (useable if Box 4b is checked)
The entire disclosure of the prior application, from which a
copy of the oath or declaration is supplied under Box 4b, is
considered as being part of the disclosure of the accompanying
application and is hereby incorporated by reference therein.

6. ☐ Microfiche Computer Program (Appendix)
7. ☒ Nucleotide and/or Amino Acid Sequence Submission
(if applicable, all necessary)
- a. ☐ Computer Readable Copy
 - b. ☒ Paper Copy (identical to computer copy)
3 Pages (1/3-3/3)
 - c. ☐ Statement verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

8. ☐ Assignment Papers (cover sheet & documents)
9. ☐ 37 C.F.R. 3.73(b) Statement ☐ Power of Attorney
(when there is an assignee)
10. ☐ English Translation Document (if applicable)
11. ☐ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS
Citations
12. ☐ Preliminary Amendment
13. ☒ Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)
14. ☐ Small Entity Statement(s) ☐ Statement filed in prior application,
status still proper and desired
15. ☐ Certified Copy of Priority Document(s)
(if foreign priority is claimed)
16. ☒ Other: Remarks Letter

17. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information:

☒ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: PCT/CA98/01133

Prior application information: Examiner: Group Art Unit:

18. CORRESPONDENCE ADDRESS

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Submitted by Typed or Printed Name	Elizabeth W. Mata	Reg. Number	38,236

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Guy A. Rouleau and Bernard Brais

Continuation Application of International

Application No.: PCT/CA98/01133

Filed: December 7, 1998

For: SHORT GCG EXPANSIONS IN THE PAB II GENE FOR OCULOPHARYNGEAL
MUSCULAR DYSTROPHY AND DIAGNOSTIC THEREOF

Date: June 8, 2000

EXPRESS MAIL LABEL NO. EL56426560545

REMARKS

Box PATENT APPLICATION

Assistant Commissioner for Patents

Washington, D.C. 20231

Sir:

The referenced application is a Continuation application claiming priority to PCT International Application No. PCT/CA98/01133, filed 7 December 1998, which claimed priority to Canadian Patent No. 2,218,199.

The application has been amended as follows from the original PCT filing: a Related Applications paragraph has been added; the description of Fig. 4 has been changed to reflect the actual labeling of the figure as Figs. 4A-4E; the specification has been amended to correct a number of typographical and syntax mistakes or irregularities; information previously residing in the Background of the Invention has been transferred to the Summary of the Invention, where it properly belongs; a description of a reference cited in the International Search report (Brais *et al.*) has been added to the Description of the Prior Art in the Background of the Invention; proper units have been inserted (*e.g.*, " μ ") in the description of "PAB II mutation screening and

sequencing" in the Examples; and trademarks have been appropriately identified. No new matter has been added.

The claims in the Continuation application are based on the set of claims submitted with the Reply to the First Written Opinion with regard to the original PCT filing. The claims have been amended from those in the Reply to the First Written Opinion, in that multiple dependencies have been deleted, and the gene of Claims 1 and 31 has been specified to be an "isolated" gene.

To facilitate analysis of the claims and to emphasize that no new matter has been added, representative support in the original PCT filing is identified herein for the claims in the Continuation application. All support references pertain to pagination in the original PCT filing.

Support for Claims 1-12 and 31-32 can be found, for example, in Figure 2, at page 2, lines 12-1, at page 6, line 9, through page 7, line 6, and page 7, line 33 through page 8, line 19, and page 8, lines 26-31. Additional support for Claim 1 can also be found, for example at page 1, line 15; support for Claim 2, see Figure 2 and page 5, lines 24-30; support for Claims 5 and 6, see page 8, lines 11-12; support for Claims 7 and 8, see page 6, lines 9-17.

Support for Claim 13, can be found, for example, in Claim 6, at page 2, lines 17-31; support for Claims 14-18, which depend from Claim 13, can be found, for example, at page 7, line 33 through page 8, line 31. Support for Claims 19-24 can be found, for example, in old Claim 9, and at page 2, line 32, through page 3, line 3; support for Claims 25-27, see old Claim 10; support for Claim 28-30, see page 2, line 32, through page 3, line 3; support for Claim 33-36, see at page 7, line 33 through page 8, line 31.

If the Examiner believes that a telephone call would expedite prosecution of the application, the Examiner is invited to contact Elizabeth W. Mata at (915) 845-3558. If Elizabeth W. Mata cannot be reached, the Examiner is invited to contact David E. Brook at (781) 861-6240.

Respectfully submitted,

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